

Message Text

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ACTION IO-14

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FM AMCONSUL MONTREAL

TO SECSTATE WASHDC 4173

USLO PEKING

AMCONSUL HONG KONG

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FROM US REP ICAO

E. O. 11652: N/A

TAGS: ETRN, CA

SUBJ: MISSION TO THE PEOPLE'S REPUBLIC OF CHINA

1. THE FOLLOWING CONFIDENTIAL MEMO FROM THE PRES/COUNCIL WAS DISTRIBUTED REPS ON COUNCIL DECEMBER 6: QUOTE

AT THE INVITATION OF THE GENERAL ADMINISTRATION OF CIVIL AVIATION OF CHINA, I WAS IN THAT COUNTRY FROM FRIDAY EVENING, 23 NOVEMBER TO SATURDAY MORNING, 1 DECEMBER 1973. I WAS ACCOMPANIED BY MR. J. HUTCHISON, CHIEF EXTERNAL RELATIONS.

THE GENERAL ADMINISTRATION OF CIVIL AVIATION OF CHINA (ABBREVIATED CAAC BECAUSE IT WAS PREVIOUSLY CALLED THE CIVIL AVIATION ADMINISTRATION OF CHINA) IS RESPONSIBLE FOR ALL CIVIL AVIATION MATTERS (GROUND FACILITIES AND SERVICES, ALL TYPES OF CIVIL AIR OPERATIONS, TRAINING AND LICENSING OF PERSONNEL, ETC.). THE DIRECTOR GENERAL REPORTS DIRECTLY TO THE PREMIER SO THAT, IN THIS SENSE, CAAC IS ALMOST EQUIVALENT TO A MINISTRY. UNDER THE GENERAL

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ADMINISTRATION IN PEKING, THERE ARE SIX REGIONAL ADMINISTRATIONS

LOCATED IN PEKING, SHENYANG, SHANGHAI, CANTON, CH'ENG TU AND LANCHOU.

THE TALKS STARTED ON SATURDAY, 24 NOVEMBER, WITH WORDS OF WELCOME BY THE DIRECTOR GENERAL, MR. MA JEN-HUI, IN WHICH HE EXPRESSED HIS GOVERNMENT'S APPRECIATION FOR THE COUNCIL DECISION OF 17 NOVEMBER 1971. DETAILED DISCUSSIONS WERE THEN UNDERTAKEN WITH THE DEPUTY DIRECTOR GENERAL, MR. SHEN TU, WHO WAS ACCOMPANIED BY HIGH OFFICIALS FROM THE CAAC AND BY TWO REPRESENTATIVES OF THE MINISTRY OF FOREIGN AFFAIRS. A LIST OF SOME OF THE PERSONS INVOLVED APPEARS AT THE END OF THE PRESENT MEMORANDUM.

AT THEIR REQUEST, I GAVE FULL EXPLANATIONS REGARDING A SUBSTANTIAL NUMBER OF ARTICLES OF THE CHICAGO CONVENTION, ICAO ANNEXES, PANS, REGIONAL PLANS, STATISTICS REQUIREMENTS, FACILITATION, ECONOMIC STUDIES, AIRPORT AND ROUTE FACILITY CHARGES, INTERNATIONAL AIR LAW CONVENTIONS, ETC., AS WELL AS DETAILS CONCERNING ICAO ACTIVITIES AND WORKING METHODS. THEY PUT A NUMBER OF QUESTIONS ON THESE SUBJECTS, ON THE AGENDA AND ORGANIZATION OF THE NEXT ORDINARY SESSION OF THE ASSEMBLY, ON UNLAWFUL INTERFERENCE, AND ON THE FUNCTIONS OF THE COUNCIL IN CONNECTION WITH CHAPTER XVIII OF THE CONVENTION AND OTHER RELEVANT ARTICLES. WE LEFT WITH THEM A SUBSTANTIAL NUMBER OF BASIC ICAO DOCUMENTS TO COMPLETE THE DOCUMENTATION THEY HAVE BEEN RECEIVING FROM ICAO SINCE NOVEMBER 1971.

THE TALKS CONTINUED IN PEKING UNTIL WEDNESDAY, 28 NOVEMBER. WE THEN PROCEEDED, ACCOMPANIED BY MR. SHEN TU, TO SHANGHAI AND CANTON, TO MEET THE DIRECTORS AND OTHER OFFICIALS OF THE RESPECTIVE REGIONAL CIVIL AVIATION ADMINISTRATIONS. THESE TRIPS PROVED PARTICULARLY USEFUL, SINCE THEY PROVIDED AN OPPORTUNITY TO CONTINUE THE EXCHANGES WITH THE DEPUTY DIRECTOR GENERAL ON A LESS FORMAL BASIS.

WHILE IN PEKING, ON MONDAY, 26 NOVEMBER, I WAS RECEIVED BY THE MINISTER OF FOREIGN AFFAIRS, MR. CHI PENG-FEI. THIS PROVED MORE THAN A FORMAL VISIT, SINCE A NUMBER OF POINTS REGARDING CHINA-ICAO RELATIONS WERE DISCUSSED.

ALL THE EXCHANGES WERE EXTREMELY FRANK AND CORDIAL. THEY REITERATED THE BASIC POLICY OF CHINA, EXPRESSED ON OTHER OCCASIONS, TO THE EFFECT THAT THE PEOPLE'S REPUBLIC OF CHINA CONSIDERS ALL LIMITED OFFICIAL USE

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SIGNATURES AND RATIFICATIONS OF OR ADHERENCES TO INTERNATIONAL TREATIES AND AGREEMENTS BY CHIANG-KAI-SHEK AFTER 1 OCTOBER 1949 AS UNLAWFUL AND OF NO EFFECT, AND THAT REGARDING INTERNATIONAL TREATIES OR AGREEMENTS CONCLUDED BEFORE THAT DATE, THE GOVERNMENT WOULD STUDY EACH CASE INDIVIDUALLY AND REACH DECISIONS ON AN AD HOC BASIS. THEY REQUESTED THAT ICAO PUBLICATIONS SHOULD NOT MAKE REFERENCE TO ANY ACTS OR ACTIVITIES REGARDING CHINA ORIGINATED BY

OR DERIVED FROM THOSE WITH WHOM ICAO HAD RELATIONS UNTIL THE COUNCIL DECISION OF 17 NOVEMBER 1971; APPRECIATION WAS EXPRESSED FOR THE ACTIONS SO FAR TAKEN BY ICAO IN THIS RESPECT.

AS A RESULT OF THE TALKS, I CAN REPORT THE FOLLOWING:

A) CHINA WILL PARTICIPATE AS A CONTRACTING STATE IN THE WORK OF ICAO IN A RELATIVELY SHORT TIME. TO FORMALIZE THAT PARTICIPATION, TWO COURSES OF ACTION ARE NOW UNDER CONSIDERATION: ONE WOULD BE TO DECLARE THAT CHINA IS A MEMBER OF ICAO BY VIRTUE OF THE RATIFICATION OF THE CHICAGO CONVENTION DEPOSITED ON 20 FEBRUARY 1946; THE OTHER COURSE OF ACTION WOULD BE TO DEPOSIT AN INSTRUMENT OF ADHERENCE TO THE CHICAGO CONVENTION UNDER ARTICLE 92.

B) ALTHOUGH NO DATE WAS MENTIONED REGARDING THE FORMALIZATION OF THEIR PARTICIPATION IN ICAO, I BELIEVE THAT IT WILL TAKE PLACE WITHIN THE FIRST QUARTER OF 1974.

C) CHINA INTENDS TO PARTICIPATE IN THE 21ST SESSION OF THE ASSEMBLY. IT IS UNLIKELY THAT THEY WILL ATTEND ANY ICAO MEETING PRIOR TO THAT DATE.

D) THEY INTEND TO SEND A TEAM OF CAAC OFFICIALS IN THE SPRING OF 1974, TO BECOME BETTER ACQUAINTED WITH ICAO ACTIVITIES AND WORKING METHODS.

E) THEY EXPRESSED THE HOPE THAT THE SECRETARY GENERAL MAY FIND IT POSSIBLE TO VISIT CHINA DURING THE PERIOD MARCH/APRIL 1974, BEFORE THE VISIT OF THE TEAM MENTIONED ABOVE.

WALTER BINAGHI

LIST OF SOME OF THE OFFICIALS WHO PARTICIPATED IN THE TALKS:
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MR. MA JEN-HUI, DIRECTOR GENERAL, CAAC
MR. SHEN TU, DEPUTY DIRECTOR GENERAL, CAAC
MR. PI CHI-LUNG, ASSISTANT DIRECTOR, DEPARTMENT OF INTERNATIONAL ORGANIZATIONS, CONFERENCES, TREATIES AND LAW, OF THE MINISTRY OF FOREIGN AFFAIRS
MR. HO FENG-YUAN, IN CHARGE OF INTERNATIONAL AFFAIRS, CAAC
MR. LIU MING, DEPUTY DIRECTOR, DEPARTMENT OF INTERNATIONAL AFFAIRS, CAAC
MR. YEH CHENG-PA, DIVISION CHIEF, MINISTRY OF FOREIGN AFFAIRS
MR. HSU KI-CHI, STAFF MEMBER, DEPARTMENT OF INTERNATIONAL AFFAIRS, CAAC
MR. KU CHI-HSING, STAFF MEMBER, DEPARTMENT OF INTERNATIONAL AFFAIRS, CAAC. END QUOTE
HARPER

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